BOEHM, KURTZ & LOWRY

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June 28, 2004

Thomas M. Dorman, Esq. Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Re: Case No. 2004-00212

Dear Mr. Dorman:

Please find enclosed the original and twelve (12) copies of the Petition to Intervene of Gallatin Steel Company filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service have been served. Please place these documents of file.

Very Truly Yours,

Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

MLKkew Attachment

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail (unless otherwise noted) to all parties on this 28^{th} day of June, 2004.

Roy M. Palk, President/CEO East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392-0707

Charles Lyle, Esq. East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392-0707

Michael L. Kurtz, Esq.

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In The Matter Of: An Examination of The Fuel Adjustment Clause of East Kentucky Power Cooperative, Inc. from November 1, 2003 to April 30, 2004

: Case No. 2004-00212

PETITION TO INTERVENE OF GALLATIN STEEL COMPANY

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Gallatin Steel Company ("Gallatin") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

- 1. Gallatin is the largest end use customer served by the Owen Electric Cooperative ("Owen"). Gallatin purchases power from East Kentucky Power Cooperative ("EKPC") through Owen at firm and interruptible rates pursuant to a contract approved by this Commission in Case No. 94-456. A portion of Gallatin's power cost includes charges under the Fuel Adjustment Clause ("FAC").
- 2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by Gallatin for electricity. Electricity represents a significant cost of doing business for Gallatin. The attorneys for Gallatin authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq. **BOEHM, KURTZ & LOWRY**

36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

Ph: (513) 421-2255, Fax: (513) 421-2765

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3. The position of Gallatin cannot be adequately represented by any existing party. Gallatin intends to play a constructive role in the Commission's decision making process herein and Gallatin's participation will not unduly prejudice any party.

WHEREFORE, Gallatin Steel Company requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,

Michael L. Kurtz, Esq.

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COUNSEL FOR GALLATIN STEEL COMPANY

PP/L

June 28, 2004